

UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF WEST VIRGINIA

AT BECKLEY

DUSTIN BOGGS  
*on behalf of the Estate of*  
Luke Tyler Holstein,

Plaintiff,

v.

CIVIL ACTION NO. 5:24-cv-151

BETSY JIVIDEN  
*individually as a Former Employee of the West Virginia Division of Corrections and Rehabilitation, and*  
MICHAEL FRANCIS  
*individually as a Former Employee of the West Virginia Division of Corrections and Rehabilitation, and*  
TIFFANY FORD  
*individually as an employee of the West Virginia Division of Corrections and Rehabilitation, and*  
JUSTIN DAVIS  
*individually as an employee of the West Virginia Division of Corrections and Rehabilitation, and*  
VALERIE BROWN  
*individually as an employee of the West Virginia Division of Corrections and Rehabilitation, and*  
RYAN WALLS  
*individually as an employee of the West Virginia Division of Corrections and Rehabilitation, and*  
CHRISTOPHER WALKER  
*individually as an employee of the West Virginia Division of Corrections and Rehabilitation, and*  
AARON JOHNSON  
*individually as an employee of the West Virginia Division of Corrections and Rehabilitation, and*  
JOHN/JANE DOE CORRECTIONAL OFFICERS,

Defendants.

**ORDER AND NOTICE**

Pursuant to *Local Rule of Civil Procedure* 16.1, it is **ORDERED** that the following dates are hereby fixed as the time by or on which certain events must occur:

- 08/19/2024** Motion Under FR Civ P 12(b), together with supporting briefs, memoranda, affidavits, or other such matter in support thereof. (All motions unsupported by memoranda will be denied without prejudice pursuant to LR Civ P 7.1(a).)
- 09/16/2024** Last day for Rule 26(f) meeting.
- 09/23/2024** Last day to file Report of Parties Planning Meeting and Scheduling Order Worksheet, available on the Court's website. See LR Civ P 16.1.
- 10/07/2024** Telephonic Scheduling Conference at **4:30 p.m.**, before the undersigned, unless canceled. Please use call-in information: 304-461-4955; access code 289 089 196#.
- 10/17/2024** Entry of Scheduling Order.
- 10/21/2024** Last day to serve FR Civ P 26(a)(1) disclosures.


### **NOTICE**

The provision of *Federal Rules of Civil Procedure* 14 and 15 with respect to the time in which to file third-party claims and to amend pleadings without leave of court are not affected by this Order and Notice.

Pursuant to *Local Rules of Civil Procedure* 16.1 and 73.1, the parties are informed of their opportunity to consent to the exercise by a magistrate judge of civil jurisdiction over the case, including entry of judgment, as authorized by 28 U.S.C. § 636. The parties may consent by filing a Consent to Jurisdiction by a United States Magistrate Judge (*Local Rule of Civil Procedure* 73.1, Form 34), or by so indicating on the Report of Parties Planning Meeting and Scheduling Order Worksheet, all of which are available on the Court's website.

ENTERED: July 19, 2024



  
Frank W. Volk  
United States District Judge